



Attorney Docket No. 249.P2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Becker et al.

Serial No.: 10/785,497

Group No.:

Filed: February 24, 2004

Examiner: Louise N. Leary

For: PRODRUGS OF PHOSPHONATE NUCLEOTIDE ANALOGUES AND METHODS
FOR SELECTING AND MAKING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity - verified statement:

☐ attached.

☐ already filed.

☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

July 16, 2004

Sushma S. Brady

(Type or print name of person mailing paper)

Sushma S. Brady
(Signature of person mailing paper)

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17 (a)-(d)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$410.00	\$205.00
<input type="checkbox"/>	three months	\$930.00	\$465.00
<input type="checkbox"/>	four months	\$1,450.00	\$725.00

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL *	18	MINUS ** 20	= 0	X 9 = \$	X18= \$
INDEP. *	1	MINUS ** 3	= 0	X42= \$	X84= \$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140= \$	+280= \$

TOTAL ADDIT. FEE \$	OR	TOTAL ADDIT. FEE \$
(c) <input checked="" type="checkbox"/> No additional fee for claims is required.		

OR

(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____

☐ Charge Account No. _____ the sum of \$ _____

A duplicate of this request is attached.

FEE DEFICIENCY

6. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 27,043

Tel. No.: (650) 522-5546



SIGNATURE OF ATTORNEY

Max D. Hensley

Type or print name of attorney

Gilead Sciences, Inc.

333 Lakeside Drive

P.O. Address

Foster City, CA 94404



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date: July 16, 2004

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In re PATENT APPLICATION of)	Group Art Unit:
)	Attorney Docket No. 249.P2
Becker et al.)	Examiner: Louise N. Leary
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Serial No: 10/785,497)	
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Filed: February 24, 2004)	
)	
Title: PRODRUGS OF PHOSPHONATE)	
NUCLEOTIDE ANALOGUES AND)	
METHODS FOR SELECTING AND)	
MAKING SAME)	

**PRELIMINARY AMENDMENT AND
CORRECTION OF INFORMALITIES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the "Notice to File Corrected Application Papers" mailed May 17, 2004, with a response date of July 17, 2004. Applicants respectfully submit a substitute specification to correct informalities.

SUBSTITUTE SPECIFICATION

Prior to examination on the merits, please replace the specification with the enclosed substitute specification herein according to 37 CFR 1.52, 1.121(b)(3) and 1.125.